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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MY GOALS SOLUTIONS, INC.,

Plaintiff,

-against-

EMMANUELLA COIANA, JOHN DOES 1-
15, and BUSINESS ENTITIES A-J,

Defendants.

1:24-cv-01900-MKV

**ORDER DENYING MOTION TO
DISMISS WITHOUT PREJUDICE**

MARY KAY VYSKOCIL, United States District Judge:

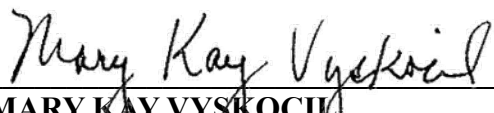
On April 24, 2024, the Court entered a Scheduling Order resolving the parties' pre-motion letters regarding Defendant's anticipated motion to dismiss. [ECF No. 10]. The Court granted Defendant leave to file a motion to dismiss, but ordered that "on or before May 1, 2024, Plaintiff shall file a letter informing the Court whether it seeks leave to amend the Complaint in response to Defendant's pre-motion letter." [ECF No. 10].

Plaintiff's time to inform the Court and Defendant whether it seeks to amend its Complaint has not yet passed. Nonetheless, Defendant prematurely filed its motion to dismiss on April 26, 2024. [ECF No. 11]. Accordingly, Defendant's motion to dismiss is DENIED without prejudice to renewal following the parties' compliance with the directives and deadlines set forth in the Court's April 24, 2024 Order. [ECF No. 10].

Any request for an extension or adjournment shall be made by letter filed on ECF at least 48 hours before the deadline. Defendant is on notice that failure to comply with Rules, Orders, and deadlines of the Court may result in sanctions, including on counsel personally.

SO ORDERED.

**Date: April 29, 2024
New York, NY**


MARY KAY VYSKOCIL
United States District Judge